

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

In re:)	Hon. Charles E. Rendlen III
)	Case No. 16-20167-705
RICHARD SCOTT STIGALL and)	
ANDREA LEIGH YOUNGMAN,)	Hearing Date: May 2, 2019
)	Hearing Time: 11:00 a.m.
Debtors.)	Hearing Location: Hannibal

MOTION TO APPROVE SALE OF REAL ESTATE BY DEBTORS

NOTICE TO INTERESTED PARTIES:

Any response to the following motion must be filed with the Court within 21 days of the date of this notice. Parties represented by an attorney must file their responses electronically according to the procedures prescribed by Court rules for electronic filing. Pro se parties shall mail filings to the United States Bankruptcy Court, Eastern District of Missouri. Responses shall address the merits of the motion and, if applicable, set out actions to remedy the particular problem. The Court will serve such response electronically on the Trustee, debtor's attorney and all other parties to the case who have registered for electronic filing. Respondent shall serve all parties who are not served electronically.

If a response is timely filed, a hearing will be held on a date and time determined indicated above or as otherwise determined by the Court. Notice of such hearing will be provided to all parties in interest. If no response is filed within 21 days, the Court may enter an order without further notice

COME NOW the debtors, by and through counsel, and, in support of this motion, state to the Court, as follows:

1. Debtors are performing their obligations under their Second Amended Plan (The Plan) (Corrected .pdf Doc. 32), which was filed on 11/11/16 and confirmed by the Court on December 12, 2016 (Doc. 36).
2. Debtors filed this case on June 2, 2016, are in month 34 of their 60-month plan, having thus far paid in \$50,400.56 of their plan base of \$72,852.56. They are current on their monthly plan payments of \$894.08.

3. The plan includes a guarantee of \$11,970.00 to non-priority unsecured creditors, based upon a combination of \$6,970.00 non-exempt equity in property and a \$5,000.00 avoidable preferential pre-petition transfer.

4. Debtor Andrea Youngman is disabled and cannot work or earn income. Her condition was established in Andrea Leigh Youngman v. Missouri Higher Education Loan Authority, et al. Adversary Proceeding No. 17-02001 (E.D. Hannibal 2017).

5. Debtors own residential real estate, which is property of the bankruptcy estate, and located at 21922 State Highway T, Calleo, Missouri 63534, in Macon County. Said property is subject to a lien in favor of Home Point Financial Corporation, assignee of Stonegate Mortgage Corporation, having an estimated unpaid balance of \$130,000 at the time this case was filed. The plan provides in paragraph 3(D) that post-petition payments of \$966.37 per month on this mortgage will be paid directly by debtors.

6. Debtors wish to sell said property for the following reasons:

- a. In Debtors' judgment, it is no longer safe for Debtor Andrea Youngman to be left alone in said home, which is in a remote rural location. Her husband, Richard Stigall, has been working from 13 to 18 hours per day at his current job. Due to Andrea's disability, she is subject to falling, which could result in serious injury. In her current remote location, Andrea has no access to OATS, and no neighbors nearby to assist her should she be injured from falling.
- b. For the foregoing reasons, Debtor Richard Stigall has accepted a position in Edmond, Oklahoma with PetroPros, where his income will be approximately the same as it is now, but his hours will be fewer. Debtors will live within the

city limits, and Andrea will have access to a city bus line and nearby neighbors, and will be closer to medical professionals. Also, Richard will be home more to help Andrea at home, and housework is becoming increasingly difficult for her, if not impossible.

7. Debtors appear to have had no equity in the property on the date of filing, and no obligation to unsecured creditors attributable to their residential real estate. On the date of filing, the unpaid balance on the mortgage lien against the property was \$130,728.57, according to the creditor's claim filed herein by the current mortgage holder, Home Point Financial Corporation.

8. The confirmation order requires Debtors, during the pendency of this case, to obtain Court approval before disposing of property of the estate

9. Debtors have received an offer of \$169,000 for the purchase of said property from Ronald Lee Stambaugh and Jennyann Stambaugh, and have accepted said offer, subject to the approval of this Court. Debtors are not related to the proposed buyers, and said offer and acceptance were made at arm's length.

10. The sale of said property will not adversely affect Debtors' ability to carry out the terms of their confirmed plan.

WHEREFORE, Debtors pray that this Court enter an Order authorizing them to sell their real estate located at 21922 State Highway T, Calleo, Missouri 63534, to Ronald Lee Stambaugh and Jennyann Stambaugh for a total sale price of \$169,000.00, and for such other orders as the Court shall deem meet and just in the premises.

Date: April 5, 2019

BOUL & ASSOCIATES, P.C.

/s/ Harry D. Boul
Harry D. Boul, Mo.Bar #23181

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Columbia, MO 65203
Voice Phone: (573) 443-7000
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hboul@earthlink.net

ATTORNEYS FOR DEBTORS
RICHARD SCOTT STIGALL AND
ANDREA LEIGH YOUNGMAN

CERTIFICATE OF SERVICE

I, Cheryl L. Miller, hereby certify that on this 5th day of April, 2019, a copy of the foregoing Notice to Interested Parties and the Motion to Approve Sale of Real Estate by Debtors was served electronically and by regular United States mail to all interested parties, the Trustee, Creditors, and all creditors Agents/Attorneys as listed on the attached list.

April 5, 2019

/s/ Cheryl L. Miller
Cheryl L. Miller

Label Matrix for local noticing
0865-2
Case 16-20167
Eastern District of Missouri
Hannibal
Fri Apr 5 14:07:22 CDT 2019

111 South Tenth Street
Fourth Floor
St. Louis, MO 63102-1125

Bank of America, N.A.
P O Box 982284
El Paso, TX 79998-2284

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Central Bank of Boone County
P.O. Box 678
Columbia, MO 65205-0678

Citicorp
Bankruptcy Department
100 Citibank Drive
San Antonio, TX 78245-3202

Dish Network
Bankruptcy Department
Department 0063
Palatine, IL 60055-0063

LVNV Funding LLC
c/o Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Missouri Department of Revenue
PO Box 475
301 W High St
Jefferson City MO 65101-1517

(p)ASCENDIUM EDUCATION SOLUTIONS INC
PO BOX 8961
MADISON WI 53708-8961

Cavalry SPV I LLC
Bass & Associates, P.C.
3936 E. Ft. Lowell Rd, Suite #200
Tucson, AZ 85712-1083

Andrew and Patricia Wynne
1903 Boyd Lane
Columbia, MO 65202-2843

Blue Shepherd Investments, LLC
21922 State Highway T
Callao, MO 63534-3308

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Chariton Valley Telecom
1206 N. Missouri Street
Macon, MO 63552-2150

Discover Bank
Bankruptcy Department
P.O.Box 30416
Salt Lake City, UT 84130-0416

Flipping Formula
Premium Financial Training
6465 South 3000 East, Ste 201
Salt Lake City, UT 84121-6974

MOHELA/Educational Credit Management Corpora
Educational Credit Management Corp
PO Box 16408
St Paul MN 55116-0408

Monarch Property Management
111 E Broadway #100
Columbia, MO 65203-4208

Navient Solutions, Inc. on behalf of
Department of Education Loan Services
PO BOX 9635
Wilkes-Barre, PA 18773-9635

United States of America on Behalf of the De

Bank of America
P.O. Box 851001
Dallas, TX 75285-1001

Capital Management Services
726 Exchange # 700
Buffalo, NY 14210-1464

Cavalry SPV I, LLC.
c/o Bass & Associates, P.C.
3936 E. Ft. Lowell Rd., Suite #200
Tucson, AZ 85712-1083

Chase Bank
Mail Code LA4-5555
700 Kansas Lane
Monroe, LA 71203-4774

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Home Point Financial Corporation
11511 Luna Road Suite 300
Farmers Branch, TX 75234-6451

Missouri Credit Union
111 East Broadway
P.O. Box 1795
Columbia, MO 65205-1795

Navient
P.O. Box 9500
Wilkes Barre, PA 18773-9500

Office of US Trustee
111 S Tenth St, Ste 6.353
St. Louis, MO 63102-1127

Penny Mac Loan Services
P.O. Box 514387
Los Angeles, CA 90051-4387

PennyMac Loan Services, LLC
6101 Condor Drive, Suite 200
Moorpark, CA 93021-2602

Stonegate Mortgage Corp.
Box 619063
Dallas, TX 75261-9063

Stonegate Mortgage Corporation
c/o Martin Leigh PC
Melinda J. Maune
1044 Main St., Suite 900
Kansas City, MO 64105-2126

Thornton L Youngman
7500 E Turner Farm Road
Columbia, MO 65201-9699

Trustees of Neumayer Equipment Co, Inc.
P.O. Box 55913
Boston, MA 02205-5913

US Attorney's Office
Room 5510 US Courthouse
400 East 9th Street
Kansas City, MO 64106-2607

US Cellular
Write Off Department
P.O. Box 7835
Madison, WI 53707-7835

US Department of Education
400 Maryland Ave SW
Washington, DC 20202-0001

USDA Rural Housing Service
P.O. Box 66879
St. Louis, MO 63166-6879

United States Attorney
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St. Louis MO 63102-1125

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Chapter 13 Trustee
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St. Louis, MO 63143-0908

Richard Scott Stigall
17617 Black Hawk Dr.
Edmond, OK 73012-7119

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Capital One Bank
Bankruptcy Department
15000 Capital One
Richmond, VA 23238

Navient Solutions Inc. on behalf of USA Fund
Attn: Bankruptcy Litigation Unit E3149
P.O. Box 9430
Wilkes-Barre, PA 18773-9430